

**In the United States Court of Federal Claims**

No. 24-1088

Filed: April 29, 2025

JEFFREY ANDREWS, *et al.*,

*Plaintiffs,*

V.

THE UNITED STATES,

*Defendant.*

## ORDER

Jeffrey Andrews and his family have been engaged in an ongoing legal fight with the United States regarding alleged violations of the Clean Water Act (“CWA”). This court previously dismissed this action for lack of subject matter jurisdiction for two reasons. First, Plaintiffs are seeking to lodge a collateral attack on the district court proceedings in this case, which this court lacks jurisdiction to hear. ECF No. 16 at 2. Second, because Plaintiffs have not sought a permit under the CWA, their claim is not ripe. *Id.* Having determined that the court lacks jurisdiction, it dismissed the case.

Plaintiffs then filed a motion for reconsideration. ECF No. 18. The court denied that motion. ECF No. 19. Now Plaintiffs move for “clarification” in which they ask:

Is it of your opinion Honorable Judge Edward H. Meyer[s], that the Clean Water Act passed By Congress, and prosecuted by the DOJ, ACOE, EPA, District courts and the Appellate Court is in fact NOT a takings, as determined by a plain reading of the 5th Amendment of the United States Constitution, as a reasonable person would believe?

With all due respect, Plaintiff Jeffrey Andrews, requests a Yes or NO clarification if this is in fact NOT a takings, as determined by the 5th Amendment of the United S[t]ates Constitution.

ECF No. 20. But this is not a request for clarification of anything in this court's prior orders. Indeed, this court *never* opined on whether there was a taking of Plaintiffs' property. To the contrary, the only question before this court was a jurisdictional one that the court has finally resolved and confirmed on reconsideration. And whatever this court believes may or may not constitute a taking is wholly irrelevant to the jurisdictional issues in this case. Plaintiffs are, in

fact, seeking an advisory opinion from this court regarding their legal theory, which this court will not give.

For the foregoing reasons, the court DENIES Plaintiffs' motion for clarification, ECF No. 20.

It is so ORDERED.

s/ Edward H. Meyers  
Edward H. Meyers  
Judge